

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 288

Introduced by Assembly Member Price

*(Coauthors: Assembly Members Adams, Beall, Dymally, Jeffries,
Krekorian, Mendoza, and Tran)*

(Coauthor: Senator Scott)

February 9, 2007

An act to add Sections 18547 and 18548 to the Elections Code, relating to elections, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Price. Voter intimidation: Voter Intimidation Restitution Fund.

Existing law prohibits certain activities intended to compel a person to vote or dissuade a person from voting. Violation of these provisions is a felony.

This bill would ~~require every~~ *authorize a court to order any* person convicted of violating this prohibition to also pay a restitution fine, in an amount determined by the court, to be deposited in the Voter Intimidation Restitution Fund created by this bill. The bill would continuously appropriate the money in this fund to the Secretary of State for purposes of voter education campaigns that address the specific crime committed by anyone convicted of violating this prohibition.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18547 is added to the Elections Code, to
2 read:

3 18547. (a) In addition to any other fine or penalty imposed by
4 this article, ~~every~~ *the court may order any* person convicted of
5 violating this article ~~shall~~ *to* pay a restitution fine, the amount of
6 which shall be determined by the court and be commensurate with
7 the seriousness of the offense.

8 (b) The moneys derived from the fine assessed pursuant to
9 subdivision (a) shall be deposited in the Voter Intimidation
10 Restitution Fund, created in Section 18548.

11 SEC. 2. Section 18548 is added to the Elections Code, to read:

12 18548. The Voter Intimidation Restitution Fund is hereby
13 established in the State Treasury. Notwithstanding Section 13340
14 of the Government Code, all moneys in the fund are hereby
15 continuously appropriated, without regard to fiscal years, to the
16 Secretary of State to be used in voter education campaigns
17 addressing the specific crime committed by anyone convicted of
18 violating this article. The funds shall also be used for the
19 administrative costs associated with distribution of the fund.